

APPLICANT(S): MAGAL, Yosef
SERIAL NO.: 10/512,042
FILED: October 21, 2004
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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-4 are pending in the application.

Claims 1-4 have been rejected.

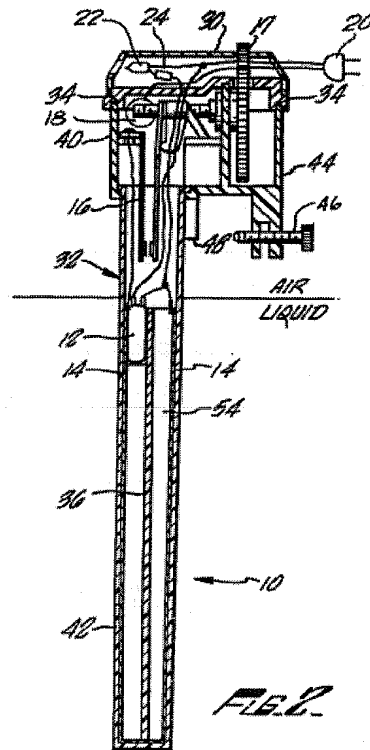
Claim 1 has been amended in this submission without adding new matter.

CLAIM REJECTIONS

35 U.S.C. § 103 Rejections

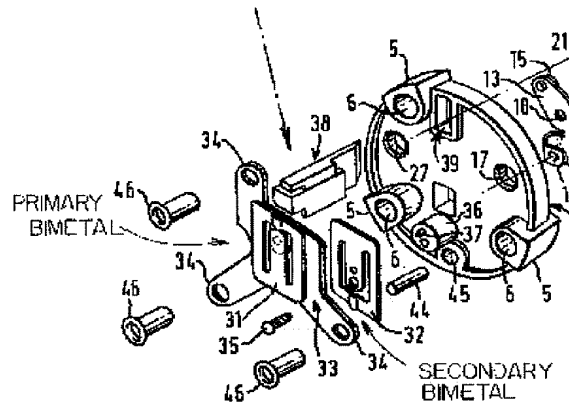
In the Office Action, the Examiner rejected claims 1-4 under 35 U.S.C. § 103(a), as being unpatentable over Middleman et al. (US 4,379,220) in view of Phillips et al. (US 4,539,468) Applicant respectfully traverses this rejection in view of the remarks that follow.

Middleman et al. discloses a heater for liquids, including a regulating means which can be "a bi-metal thermostat 16 which is set by means of a knurled knob 17 to open when the temperature of the air around it exceeds a temperature in the range of 25° to 45° C" (column 3, lines 38-42). As shown in Fig. 2 (see below), thermostat 16 is in the form of bimetal stripe which may make contact with or disconnect from a conductive element according to the temperature of the air around it.



Middleman et al., Fig. 2

Phillips et al. discloses a protection unit including two bimetallic switch actuating elements (elements 31 and 32 in Fig. 1, a portion of it is shown below). The bimetallic switch actuating elements are “each of a known snap-acting type comprising a stressed generally rectangular bimetal blade having a tongue released therefrom as described for example in British Patent Specification Nos. 600055, 657434 and 1064643” (Column 4, lines 38-42).



Phillips et al., a portion of Fig. 1

Neither Middleman et al. nor Phillips et al., alone or in combination, teach or suggest at least:

...a first bimetal device being arranged for thermal at least indirect contact with water being heated and being supported by said structure, said first bimetal device comprising of a first pair of components made of materials different in the coefficient of linear thermal expansion, said first pair of components comprising a tubular component and a rod component projecting from said tubular component into said structure to open said first switch when said first bimetal device reaches a first temperature; and a second bimetal device comprising of a second pair of components installed inside said tubular component of said first pair of components, wherein said second pair of components being made of materials different in their coefficient of linear thermal expansion, one of said second pair of components also projecting into said structure to open said second switch if said second bimetal device reaches a second temperature higher than said first temperature due to failure of said first bimetal device to open said first electric switch, wherein said thermostat is installed within said boiler.

as recited in independent claim 1, as amended.

Additionally, it would not have been obvious to include at least these elements of claim 1 in Middleman et al. or in Phillips et al. Thus, neither Middleman et al. nor in Phillips et al., alone or in combination, teach or suggest the invention of independent claim 1. Therefore claim 1 is allowable.

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Each of claims 2-4 depends from claim 1 and therefore includes all the limitations of this claim. At least for this reason, claims 2-4 are likewise allowable.

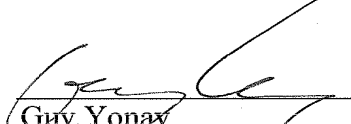
Accordingly, Applicant respectfully requests that the Examiner withdraw the rejections to independent claim 1 and to claims 2-4 dependent thereon.

In view of the foregoing amendments and remarks, the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,


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